

## MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

June 9, 1955  
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

## Roll Call:

Present: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. JOHN LEE SMITH, Highland Park Baptist Church.

Councilman Pearson moved that the Minutes of June 2, 1955 be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, Mayor Miller  
Noes: None  
Present but not voting: Councilman White (as he was absent June 2nd)

MR. CHARLES L. SANDAHL, SR. made inquiry about the number of fogging machines in operation in the city; about what the City was doing in this line of work; and if the City had appropriated the same amount as last year. The City Manager stated there were two city-owned fogging machines, one a hand spray, and there was one machine in the County that could be called in on an emergency. Fogging had already started in spite of the rains, but it will all have to be done over. The appropriation is about the same as has been in the past. MRS. JOHN DAVOL thanked the City for its past cooperation. MRS. LEWIS HATCH stated there would probably be more polio in Austin this year than last, and they hoped to have sufficient funds to take care of the load; and with the Salk vaccine, it was hoped this would be the last year of polio.

In accordance with the published notice thereof, at 10:30 o'clock AM it was announced that the Council would proceed with the hearing involving the improvement of Westview Drive, the benefits which would result to the abutting property and owners, the amount of the costs of such improvements to be assessed against the abutting property and owners, and all related matters.

B. H. SMART, representing Mr. and Mrs. Fred T. Bennett, protested the paving which was in the back of their property, and stated the assessment would work a hardship on them, as their lot would not permit another building on it. The assessment would be \$1500, and he did not believe it would be of any benefit to the property owners. He discussed a contract he had whereby the owner of the subdivision adjoining this property designated certain streets leading into this subdivision had to be paved, and Westview was one of the streets included in this contract. The City Manager stated that Westview was the access street forming a boundary between the two subdivisions, and the subdivider had deposited the full cost of paving the street. Under the policy the city will assess the abutting property owners. The subdivider would have the paving certificates on the opposite side of the street transferred to him; and in this case, if the subdivider has an obligation to pay for the paving himself, that fact would enter into his ability to collect those paving certificates. Mr. Smart stated they would then negotiate with the subdivider. The City Manager also explained the credit of 50' allowed on this long side of the lot of the Bennetts.

MR. ROGER HANKS, appraisor, testified that the paving of Westview would enhance the property to the amount of the paving, as the value of the property in that area was in having a uniform condition whereby all the streets are paved. The value is in the overall fact that it was known when the street was cut through, it was to be paved and that all the property would be greatly enhanced by all the streets in the area being paved. Mr. Hanks testified he was familiar with the property in the neighborhood, that it was his business to trade in real estate values; that he had been in the business eight years, licensed, and he had no doubt but that the value would be enhanced as much as the cost assessed against it. The Council asked Mr. Smart to give them the benefit of the information in the deeds and contracts, and took no action on the matter at this time, deferring it until the following Thursday.

Mayor Miller proclaimed Monday, June 13th as MIRIAM A. FERGUSON DAY. He stated the Junior Chamber of Commerce was sponsoring a dinner for her, and she was the only woman governor, and he was happy to honor her and name that day MIRIAM A. FERGUSON DAY. The Council by rising joined the Mayor in this unanimous proclamation.

Decision on request of Presbyterian Church for change of building line was postponed until the architects and church officials met to determine just what they wanted to do.

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 45.4 ACRES OF LAND, SAME BEING OUT OF AND A PART OF THE HENRY P. HILL LEAGUE NO. 21, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN, AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 134 ACRES OF LAND, MORE OR LESS, OUT OF THE JAMES P. WALLACE SURVEY, THE DINSMORE SIMPSON SURVEY AND THE THOS. ELDRIDGE SURVEY, IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEXATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF 8.61 ACRES OF LAND OUT OF THE GEORGE W. DAVIS SURVEY IN TRAVIS COUNTY, TEXAS, WHICH SAID ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller brought up the following ordinance for its first reading:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN  
BOUNDARY LIMITS OF THE CITY OF AUSTIN AND THE ANNEX-  
ATION OF CERTAIN ADDITIONAL TERRITORY CONSISTING OF  
8.60 ACRES OF LAND, MORE OR LESS, SAME BEING OUT OF  
AND A PART OF THAT CERTAIN TRACT OF LAND OUT OF THE  
A. B. SPEAR LABOR IN TRAVIS COUNTY, TEXAS, WHICH SAID  
ADDITIONAL TERRITORY LIES ADJACENT TO AND ADJOINS THE  
PRESENT BOUNDARY LIMITS OF THE CITY OF AUSTIN, IN  
PARTICULARS STATED IN THE ORDINANCE.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the ordinance be passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Pursuant to published notice thereof the following zoning applications were publicly heard:

E. N. NAU By  
Ralph P. Hawkins

2404 San Gabriel

From "B" Residence 2nd  
Height and Area  
To "LR" Local Retail 2nd  
Height and Area  
RECOMMENDED by the  
Planning Commission

Opposition was expressed by Norman W. Eckhardt, and Adoue Parker for the Sigma Alpha Epsilon Fraternity. The Mayor asked those who wished to uphold the recommendation of the Planning Commission to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "LR" 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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HENRY WOELKE, et ux By J.E. Danheim	5731-5805 Burnet Road	From "A" Residence and "C" Commercial 1st Height and Area To "C-1" Commercial 2nd Height and Area RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to uphold the recommendation of the Planning Commission and grant the change to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "C-1" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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GEORGE G. MONTZ	8401-8413 Burnet Rd. 2306-2312 Doris Dr.	From "A" Residence 1st Height and Area To "C" Commercial 6th Height and Area RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to uphold the recommendation of the Planning Commission and grant the change to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 6th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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C. E. ALVIS, JR. & W. B. CARSSOW	2406 San Gabriel	From "B" Residence 2nd Height and Area To "LR" Local Retail 2nd Height and Area RECOMMENDED by the Planning Commission
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No opposition appeared. The Mayor asked those who wished to uphold the

the recommendation of the Planning Commission and grant the change to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "LR" Local Retail 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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JOE CALLAN, JR., By	1624-34 E. 4th St.	From "B" Residence 2nd
S. R. Fulmore	401-05 Concho	Height and Area
	400-04 Chalmers	To "D" Industrial 2nd
		Height and Area
		RECOMMENDED by the Planning
		Commission

Opposition was expressed by HERMAN JONES, representing the Austin Housing Authority on the grounds the application was in violation of the pattern set out, and there was no need for "D" Industrial in the area. The Housing Authority had no objections to "C" Commercial zoning. After discussion and after Mr. Fulmore agreed to "C", Councilman Long moved that the recommendation of the Plan Commission be amended and grant "C" Commercial with 2nd Height and Area. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "C" Commercial 2nd Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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LAWRENCE C. JOHNSON	4800-4802-4804	From "A" Residence and
	East Avenue	"C" Commercial
		To "GR" General Retail 5th
		Height and Area
		RECOMMENDED by the
		Planning Commission

Opposition was expressed by Mrs. H. C. Smith, 4807 Harmon. The Mayor asked those who wished to uphold the recommendation of the Planning Commission and grant the change to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the change had been granted to "GR" General Retail 5th Height and Area and the City Attorney was instructed to draw the necessary ordinance to cover.

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MARK BURNETT

3606-10 Bull Creek Road

From "C" Commercial  
To "C-1" Commercial  
NOT Recommended by the  
Planning Commission

No opposition appeared. The Mayor asked those who wished to uphold the recommendation of the Planning Commission and deny the change to vote "aye"; those opposed to vote "no". Roll call showed the following vote:

Ayes: Councilman Pearson

Noes: Councilmen Eong, Palmer, White, Mayor Miller

The Mayor announced that the change had been granted to "C-1" Commercial and the City Attorney was instructed to draw the necessary ordinance to cover.

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ARTHUR BURTON

1812-14 Harvey St.  
2937 East 19th St.

From "A" Residence  
To "LR" Local Retail  
NOT Recommended by the  
Planning Commission

Opposition was expressed by Mr. J. M. SCHUSTER, 2947 Higgins and his neighbor, MR. RAINEY. Action was postponed until the following Thursday.

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EDWARD JOSEPH

7509-7547 Burnet Rd.

From "A" Residence  
To "GR" General Retail

The Mayor announced that this application had been postponed until June 16th.

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MRS. SELMA H. ALBERS

2131 E. 1st and  
96-98½ Canadian

From "C" Commercial 2nd  
Height and Area  
To "C-1" Commercial 2nd  
Height and Area

This zoning request was postponed indefinitely at the request of the applicants.

Councilman White offered a Resolution commending MR. HARRY SMITH who has retired from the City of Austin after 46 years of service, and who had spent practically all of his life with the city, for the good job he has done with the City of Austin. The resolution was seconded by Councilman Long and carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

MR. AMOS HEROLD submitted a plan to the Council whereby he believed would add 1000 additional seats in the proposed Auditorium, increasing the seating capacity to 8,000, and effecting a savings of \$300,000. His plan involved moving the stage forward 12-16' and widening the auditorium 8' on each side. The matter was deferred until the afternoon meeting with the Architects.

The Council recessed until 2:30 P.M.

Recessed Meeting

2:30 P.M.

The Council resumed its meeting with the Architects for the Auditorium. MR. M. H. CROCKETT, SR. suggested that the Auditorium not be elevated the 16' as it would keep the older people from attendance. The Mayor stated this item had been gone over with Mr. Seaholm, and Mr. Starke of the L.C.R.A. and it was their recommendation, as well as others'. MR. MUNSEY WILSON, structural engineer, stated with this plan if the auditorium were lowered, there would be a drainage problem on the back side that they do not have now. Everything had been studied in detail as to grade and contours. Councilman Long presented a question raised by MR. TRAVIS LARUE about whether or not the architects had investigated the possibility of a combination coliseum and auditorium such as they have in Lubbock. MR. PAGE stated they had, and listed some difficulties as were pointed out by the President of the Auditorium Association, and Dr. Paul Boner and Mr. Richard Lane. The Mayor suggested that the City should limit the area around the Auditorium making it clear of other buildings, eliminating danger of fire. He believed the 1952 Council had located the auditorium in the choice place on the Butler Tract. As to lowering the elevation, Councilman White commented he would not be for that at all. Councilman Palmer stated Mr. Wilson was one of the highest outstanding engineers in Austin and he would accept his recommendation. The suggestions of the Junior Chamber of Commerce were brought before the Council by Councilman Pearson for further discussion with the Architects. He asked if these would be considered in the conference with Mr. Phillip Thompson. Mr. Page stated they were cautioned by Mr. Thompson on putting in too many doors--just the number that the fire code would permit. Councilman Long inquired about the kitchen facilities. Mr. Page explained this would not be too difficult to work out. Discussion of concessions was held. The Mayor stated this was a very important matter, as the City would have to lease the rights to help amortize the auditorium. MR. MOTON CROCKETT, discussed the recommendation of the Jaycees again, and stated they appreciated the wisdom of the men brought before them, and appreciated the work and consideration given to their suggestions. MR. AMOS HEROLD submitted his plan in detail to the Architects. Mr. Page, after going over the plans, explained difficulties encountered in the accoustical problems--structural rearrangements--safety in a certain amount of passageway. Original details had been worked out technically with DR. PAUL BONER, RICHARD LANE, and MR. COTTINGHAM. Mr. Page stated he would confer with DR. BONER and MR. LANE again, and also the Drama Department. COUNCILMAN PEARSON stated it was his understanding that the Architects would like to have Mr. Thompson back down here to review the plans. With the promise that the Architects will consider the Jaycee's suggestion in regard to the kitchens, and they had Mr. Herold's suggestions to consider and exchange ideas with Dr. Boner, Mr. Lane, and the Drama Department, Councilman Pearson moved that they instruct the Architects to proceed with the plans and



consider the suggestions. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mr. Page, in answer to Councilman Long's inquiry, stated they would go over the idea of more side doors and other suggestions of Mr. Crockett, Jr.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute on behalf of the City of Austin a warranty deed conveying the following described property to Bert P. Brown:

2,408 square feet of land, same being out of and a part of that certain portion of Lots 1 and 2, Block 12, of a resubdivision of Shoalmont Addition, a subdivision of a portion of the George W. Spear League, in the City of Austin, Travis County, Texas, a map or plat of the said resubdivision of Shoalmont Addition being of record in Book 4 at Page 9 Plat Records of Travis County, Texas which was conveyed to the City of Austin by the following two (2) Warranty Deeds:

(1) Dated May 19, 1955 of record in Vol. 1571 Page 488 Deed Records of Travis County, Texas.

(2) Dated May 17, 1955 of record in Vol. 1590 Page 473 Deed Records of Travis County, Texas.

Said 2408 square feet of land being particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of Lot 2 Block 12 of the said Resubdivision of Shoalmont Addition;

THENCE with the north line of Lots 2 and 1 of the said Block 12 S 83° 01' E 118.30 feet to a point in the proposed north line of North Loop Blvd. said point being in a curve whose angle of intersection is 11° 13' whose tangent distance is 232.90 feet, and whose radius is 2371.75 feet;

THENCE following said proposed curving north line of North Loop Blvd. to the right an arc distance of 18.63 feet the subchord of which arc bears S 75° 55' W 18.35 feet to a point on the West line of the said Lot 1 and the east line of the said Lot 2;

THENCE, continuing with the proposed curving north line of North Loop Blvd. to the right an arc distance of 100.73 feet the subchord of which bears S 77° 21' W 100.59 feet, to a point on the west line of the said Lot 2;

THENCE with the west line of Lot 2 N 2° 07' W 40.79 feet to the point of beginning.

The motion seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER  
INTO A CERTAIN CONTRACT WITH ELMHURST CORPORATION;  
PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE  
CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN  
EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Present but not voting: Councilman Pearson

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Present but not voting: Councilman Pearson

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, White, Mayor Miller  
Noes: None  
Present but not voting: Councilman Pearson

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE PERPETUALLY VACATING AND CLOSING  
THAT CERTAIN PUBLIC STREET KNOWN AS LINDA DRIVE  
WHICH LIES NORTH OF DYESS STREET AND SOUTH OF  
LOLA DRIVE, IN THE CITY OF AUSTIN, TRAVIS COUNTY,  
TEXAS; AND SUSPENDING THE RULE REQUIRING THE  
READING OF AN ORDINANCE ON THREE SEPARATE DAYS.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that the circumstances are such that the maximum reasonable and safe speed for the operation of vehicles at the following location is greater than thirty (30) miles per hour; and,

WHEREAS, after said investigation the City Council has found that the maximum reasonable and safe speed for the operation of vehicles is thirty-five (35) miles per hour at the following location:

ON STREET

FROM

TO

West Guadalupe

West 45th Street North Lamar  
Boulevard

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.40 of the Traffic Register.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, the Southwestern Bell Telephone Company has presented to the City Council tentative maps or plans showing the proposed construction of its underground telephone conduit in the street in the City of Austin hereafter named, and said maps or plans have been considered by the Director of Public Works; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the Southwestern Bell Telephone Company be and the same is hereby permitted to construct its underground telephone conduit in the following street:

(1) An underground telephone conduit across BULL CREEK ROAD at a point 130 feet north of the north line of Perry Lane.

THAT the work and construction of said underground telephone conduit, including the excavation of the street and the restoration and maintenance of said street after said underground telephone conduit has been constructed, shall be under the supervision and direction of the City Manager and in accordance with the ordinances and regulations of the City of Austin governing such construction.

The motion, seconded by Councilman Long, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Palmer offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, John Broad is the Contractor for the alteration of a building located at 104 East 7th Street and desires a portion of the sidewalk and street space abutting Lot 1, Block 84, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said John Broad, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at a point in the south property line 10 feet east of the south west corner; thence in a southerly direction and at right angles to the center line of East 7th Street to a point 12 feet south of the north curb line; thence in an easterly direction and parallel with the center line of East 7th Street approximately 60 feet to a point; thence in a northerly direction and at right angles to the center line of East 7th Street to the south line of the above described property.

2. THAT the above privileges and allotment of space are granted to the said John Broad, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall construct a 4-foot walkway within the outer boundaries of the above described working space, such walkway to be protected on each side by a guard rail at least 4 feet high and substantially

braced and anchored, and without wood strips or obstructions of any kind along the pavement within the walkway, and at any time in the opinion of the city officials it becomes necessary for any reason to install a board floor within the walkway, the Contractor shall upon notice from the Building Inspector immediately place such a wood floor and substantially support same to prevent sagging under load.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "NO PARKING" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red light during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fence, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager, and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than October 1, 1955.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of Five Thousand Dollars (\$5000.) which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkways and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Long, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of Twin Oaks Addition, a subdivision in the City of Austin, Travis County, Texas, a certain street extending in a northeasterly direction from East Oltorf Street to East Live Oak Street, is designated as Brooklyn Street; and,

WHEREAS, said map or plat of Twin Oaks Addition is of record in Book 7, at page 20, Plat Records of Travis County, Texas; and,

WHEREAS, the present residents and owners of property abutting said street have requested that the name of such Brooklyn Street be changed to Rebel Road; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the name of the street now known as Brooklyn Street, as the same appears on that certain map or plat of Twin Oaks Subdivision, of record in Book 7 at page 20, Plat Records of Travis County, Texas, be and the same is hereby changed to Rebel Road; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this Resolution in the Deed Records of Travis County, Texas.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on a map or plat of Twin Oaks Addition, a subdivision in the City of Austin, Travis County, Texas, a certain street is designated Cinderella Circle; and,

WHEREAS, said map or plat of Twin Oaks Addition is of record in Book 7 at page 20, Plat Records of Travis County, Texas; and,

WHEREAS, the present residents and owners of property abutting said street have requested that the name of such Cinderella Circle be changed to Sunset Circle; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the name of the street now known as Cinderella Circle, as the same appears on that certain map or plat of Twin Oaks Subdivision, of record in Book 7 at page 20, Plat Records of Travis County, Texas, be and the same is hereby changed to Sunset Circle; and,

BE IT FURTHER RESOLVED:

That the City Clerk is hereby authorized and directed to file or cause to be filed a certified copy of this Resolution in the Deed Records of Travis County, Texas.

The motion, seconded by Councilman Pearson, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on May 24, 1955, the City of Austin received bids for the construction of approximately two (2) blocks of pavement in Westview Drive (Assessment Paving Contract No. 11); and,

WHEREAS, the bid of Giesen & Latson Const. Co. in the sum of \$3,917.28 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Giesen & Latson Const. Co. in the sum of \$3,917.28 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Giesen & Latson Const. Co.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE DECLARING THE NECESSITY FOR AND  
ORDERING THE PAVING AND IMPROVEMENT OF PORTIONS  
OF CERTAIN STREETS IN THE CITY OF AUSTIN, APPROVING

PLANS AND SPECIFICATIONS FOR SUCH WORK, AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS, DIRECTING THE PREPARATION OF ESTIMATES, INVOKING THE ALTERNATE PROCEDURE PROVIDED BY ARTICLE I, SECTION 5 OF THE CHARTER OF THE CITY OF AUSTIN AND CHAPTER 106 OF THE ACTS OF THE FIRST CALLED SESSION OF THE 40TH LEGISLATURE OF TEXAS, DETERMINING THAT THE COST OF SUCH IMPROVEMENTS SHALL BE PAID BY THE CITY OF AUSTIN, PROVIDING A METHOD OF REIMBURSING THE CITY OF AUSTIN FOR A PORTION OF SUCH COSTS BY ASSESSMENT OF A PORTION OF SUCH COSTS AGAINST THE PROPERTY ABUTTING SUCH STREETS OR PORTIONS THEREOF TO BE IMPROVED, AND FOR THE FIXING OF A LIEN TO SECURE PAYMENT OF SUCH ASSESSMENTS, STATING THE TIME AND MANNER PROPOSED FOR PAYMENT OF ALL SUCH COSTS, DIRECTING THE CITY CLERK TO CAUSE A NOTICE OF THE ENACTMENT OF THIS ORDINANCE TO BE FILED IN THE MORTGAGE OR DEED OF TRUST RECORDS OF TRAVIS COUNTY, TEXAS, AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman White moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman White moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman White moved that the ordinance be finally passed. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE APPROVING AND ADOPTING THE WRITTEN STATEMENT AND REPORT OF THE DIRECTOR OF PUBLIC WORKS, SHOWING THE ESTIMATES OF THE TOTAL COSTS OF ALL THE IMPROVEMENTS, THE ESTIMATES OF THE COSTS PER FRONT FOOT PROPOSED TO BE ASSESSED AGAINST THE ABUTTING PROPERTY AND THE REAL AND TRUE OWNERS THEREOF, AND THE ESTIMATES OF VARIOUS OTHER COSTS FOR THE IMPROVING OF BURRELL DRIVE,



IN THE CITY OF AUSTIN, TEXAS, WITHIN THE LIMITS  
HEREINBELOW DESCRIBED, AND OF OTHER MATTERS RE-  
LATING THERETO; DETERMINING THE NECESSITY OF  
LEVYING AN ASSESSMENT AGAINST THE ABUTTING  
PROPERTY AND THE REAL AND TRUE OWNERS THEREOF  
FOR THE PORTION OF SAID COSTS APPORTIONED TO  
THEM; ORDERING AND SETTING A HEARING AT 10:30  
O'CLOCK A.M. ON THE 23RD DAY OF JUNE, 1955, IN  
THE COUNCIL CHAMBER OF THE CITY HALL OF AUSTIN,  
TEXAS, AS THE TIME AND PLACE FOR THE HEARING OF  
THE REAL AND TRUE OWNERS OF SAID ABUTTING PROPERTY  
AND ALL OTHER INTERESTED PARTIES IN SAID ABUTTING  
PROPERTY OR IN ANY OF THE PROCEEDINGS AND CONTRACT  
CONCERNING SAID ASSESSMENTS, PROCEEDINGS AND  
IMPROVEMENTS; DIRECTING THE CITY MANAGER OF THE  
CITY OF AUSTIN, TEXAS, TO GIVE NOTICE OF SAID  
HEARING AS REQUIRED BY THE LAWS OF THE STATE OF  
TEXAS AND THE CHARTER OF THE CITY OF AUSTIN;  
DECLARING AND PROVIDING THAT THIS ORDINANCE SHALL  
TAKE EFFECT IMMEDIATELY UPON PASSAGE.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Austin Goodyear Co., Inc., as occupant and owner of the building located on Lots 1 and 2, Block 6, Original City of Austin, is remodeling and modernizing such building; and,

WHEREAS, in order to beautify said building, plans have been prepared providing for a tile facing to be attached to the present structure along the south wall, which is on the north line of East 1st Street; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That Austin Goodyear Co., Inc. is hereby authorized to construct such tile facing along the south wall of said building, as now located, such facing to be no more than 2.5 inches thick.

The motion, seconded by Councilman Palmer, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long moved that the AMERICAN LEGION be granted permission to have their annual celebration on July 4 (July 1st - 4th) at Zilker Park as they requested and as recommended by the City Manager; and grant them special permission for the use of fireworks. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long moved that the Council approve the paving of Avenue D, from 40th to 41st Street. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long moved that the following be appointed to serve on the Planning Commission:

DR. WILFRED D. WEBB - Term to expire June 1, 1957  
MR. WINIFRED O. GUSTAFSON - Term to expire June 1, 1957  
MR. MARVIN BRASWELL - Term to expire June 1, 1956

The motion, seconded by Councilman White, carried by the following vote:  
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

Councilman Long moved that MRS. MAXINE LOMBARD and MR. NED A. COLE be appointed to serve on the Greater East Austin Development Committee. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller  
Noes: None

The Mayor announced that a great many property owners on Congress Avenue were willing to top Congress, and even some on the side streets were anxious to start on them on a voluntary plan. He asked that a list of all property owners on Congress Avenue be obtained, and then a meeting called and possibly the work done this summer.

There being no further business the Council adjourned at 5:20 P.M.  
subject to the call of the Mayor.

APPROVED:

  
Mayor

ATTEST:

  
City Clerk